

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

<b>MARY A. BECAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-07-149-SPS</b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>Commissioner of the Social</b>	)	
<b>Security Administration,</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION AND ORDER REMANDING CASE  
FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

The Plaintiff sought disability benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401- 434. The Commissioner denied benefits and the Plaintiff appealed pursuant to 42 U.S.C. § 405(g), alleging that the Administrative Law Judge (the “ALJ”) erred in failing to properly evaluate the claimant’s credibility and Dr. Wolski’s medical opinion. The Commissioner concedes that the ALJ erred and has filed Commissioner’s Motion for Entry of a Judgment Reversing and Remanding for Further Administrative Proceedings [Docket No. 17] to permit proper administrative consideration of the issue. The Plaintiff does not object to the remand. The Court finds that the Commissioner’s decision is not supported by substantial evidence and should therefore be reversed.

Accordingly, the Commissioner’s Motion for Entry of a Judgment Reversing and Remanding for Further Administrative Proceedings [Docket No. 17] is hereby **GRANTED**.

The decision of the Commissioner is hereby **REVERSED** and the case **REMANDED** for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. §405(g).

**IT IS SO ORDERED** this 11<sup>th</sup> day of December, 2007.



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**STEVEN P. SHREDER**  
**UNITED STATES MAGISTRATE JUDGE**